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Lisa Benado
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026

EXAMINER
CHUONG, TRUC T

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS·SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *29 October 2007*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *See Continuation Sheet* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *See Continuation Sheet* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a) ☐ All b) ☐ Some * c) ☐ None of:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

Continuation of Disposition of Claims: Claims pending in the application are 1-4,6-14,16-23,25-31,33-40,42-45,47-50,52-55,57,59-61,63-65,67-69,71-73,75,76,78,79 and 81-85.

Continuation of Disposition of Claims: Claims rejected are 1-4,6-14,16-23,25-31,33-40,42-45,47-50,52-55,57,59-61,63-65,67-69,71-73,75,76,78,79 and 81-85.

DETAILED ACTION

This communication is responsive to the RCE, filed 10/29/07.

Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73, 75-76, 78-79, and 81-85 are pending in this application. In the communication, claims 1, 11, 20, 28-29, 37, 42, 47, 52, 57, 61, 65, 69, 73, 76, 79, 82, and 85 are amended, and claims 5, 15, 24, 32, 41, 46, 51, 56, 58, 62, 66, 70, 74, 77, and 80 are canceled. This action is made non-final.

Claim Objections

1.   Claim 20 recites the limitation "the display device" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-4, 6-14, 16-23, 25-31, 33-40, 42-45, 47-50, 52-55, 57, 59-61, 63-65, 67-69, 71-73, 75-76, 78-79, and 81-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. ("Foreman", U.S. Patent No. 6,628,303 B1) in view of Yen et al. ("Yen", U.S. Patent No. 6,724,918 B1), and further in view of Rosser et al. ("Rosser", U.S. Patent No. 6,100,925).

As to claim 20, Foreman teaches a processing system for collecting a time based stream

of information to generate a presentation comprising:

(i) means for communicating with an information source having a time based stream of

information (e.g., a video editing system for editing video information which can be captured

directly into a timeline, col. 1 line 64-col. 2 line 8, col. 9 lines 51-58, and figs. 8-9);

(ii) means for presenting capture information from the time based stream of information on a

portion of a first interface on the display device (the display area 120, e.g., col. 9 lines 25-20,

fig. 8), while the capture information is acquired from the information source in a capture

mode, the capture mode to import the time based stream of information into the system

(capture mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56, and figs. 8-9); and

(iii) means for presenting on the first interface on the display (the display area

120, e.g., col. 9 lines 25-20, fig. 8) at least one enabled control element, which is to

control editing of the time based stream of information (Foreman clearly teaches in figs.

15-16 and col. 10 lines 42-55 that "user input 204 is processed to change the data in the

shot descriptions and to generated the displayed graphics 206 of the storyboard interface

52. Similarly, a capture module 208 processes the shot descriptions and the clip

descriptions 216 to provide the display graphics 210 of interface 54. It also processes user

input 212 to perform operations such as capturing data or inserting and deleting shots.

Video input and output 214 is controlled into data files. The clip descriptions 216 are

created and modified according to the selected shot and the name of the data file into

which the data is captured. When an operation is performed on a clip in the timeline, the

capture module 208 modifies the corresponding clip description 216. The corresponding

shot is modified via a message passing technique, indicating a clip that is modified and
the operation causing the modification." It means that Foreman edits the clip with a
timeline; therefore, editing the video clip includes removing/deleting/adding frames
which are directly affected the timeline. It means editing the frames also edited/changed
the timeline or time based stream information.); however, Foreman does not clearly teach
that the capturing and editing information (while the time based stream of information is
imported into the system on the system on the first interface) on a same display/screen.
Yen clearly teaches audio and video are continuously captured during the creation and
editing mode (it also means that the system of Yen *can be either capturing video and
then editing it later on the same display* without switching to different mode such as
editing mode, playing mode or, etc. Yen, e.g., col. 9 line 56-col. 10 line 25). It would
have been obvious to a person of ordinary skill in the art at the time of the invention to
have the video system of Yen in the video editing system of Foreman to ease and not
confuse the user during the viewing/capturing/editing process. {The system of Foreman
also teaches that either captured video information, which currently being received, for
displaying at the display area 120 directly from the camcorder without using the video
information from other storages such as the videotape of the camcorder, bin, other
memory (e.g., col. 9 lines 20-32, and col. 10 lines 27-33), or the user can capture/get the
video information from other storages as ordinary ways as also explained throughout the
invention, the video information can be captured directly into a timeline representation of
a video program (Abstract) to edit the video (col. 8 lines 50-61), and motion video
information is captured using this interface 54 and is tied directly to a selected shot, and

by capturing motion video information in this manner, the motion video information is

automatically and immediately associated with a selected shot. By capturing video

information directly into the timeline representing the motion video program, the need for

a "bin" of motion video data files is eliminated and the user interface is simplified. When

all shots have been associated with clips, a message may be displayed to the user that

tells the user to continue to the next selectable interface, for editing the movie.

Nonetheless, the user may still add shots and capture more video (col. 10 lines 6-35).

Upon initiation, the first shot in the storyboard for which motion video information has

not yet been captured is selected. However, the user may select any given shot in the

storyboard region for capturing associated motion video information (col. 10 lines 6-35);

therefore, <u>it clearly means that the editing system of Foreman can capture and edit video</u>

<u>information at the same time</u>; and, if the user sends <u>direct signal to the camcorder</u> for

capturing video information (not from other storages), the system will be importing the

video information with the time line (as explained above) at the same time the user can

switch to the editing mode, which means the edit mode is enable, as shown in figs. 8-11

(Foreman, capture mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56; switching to

different windows and sub-windows, and figs. 8-12)}; however, the system of Foreman

in view of Yen still does not clearly teach the system is capable of editing the information

<u>presenting the capture information from</u> the time based of information <u>that is currently</u>

<u>being imported</u> into the system. Rosser clearly teaches a <u>live</u> video insertion system

(LVIS) for inserting static/dynamic images or indicia (the information is currently being

captured, reviewed, and inserted/edited in an editing mode) into a live video broadcast

(the information is currently being imported into the system LIVS as claimed by the

Applicants) in a realistic fashion on a real time basic (Rosser, Abstract, col. 4 lines 34-42,

and col. 15 lines 21-29). It would have been obvious to a person of ordinary skill in the

art at the time of the invention to have the live-image insertion of video streams of Rosser

in the image/video editing system of Foreman in view of Yen to reduce confusions from

the viewers by only inserting objects/images/indicia into appropriate targets/landmarks

located on the displayed screen (Rosser, Abstract).

As to dependent claim 21, Foreman teaches the system further including a means for

capturing the time based stream of information from the information source (Foreman, capture

mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56, and figs. 8-9) and presenting process

information associated with the time based stream of information that is capable of being edited

for constructing an edited presenting on the first interface on the display, wherein the process

information presents an edit output {col. 10 lines 42-55 teaches "user input 204 is processed to

change the data in the shot descriptions and to generated the displayed graphics 206 of the

storyboard interface 52. Similarly, a capture module 208 processes the shot descriptions and the

clip descriptions 216 to provide the display graphics 210 of interface 54. It also processes user

input 212 to perform operations such as capturing data or inserting and deleting shots. Video

input and output 214 is controlled into data files. The clip descriptions 216 are created and

modified according to the selected shot and the name of the data file into which the data is

captured. When an operation is performed on a clip in the timeline, the capture module 208

modifies the corresponding clip description 216. The corresponding shot is modified via a

message passing technique, indicating a clip that is modified and the operation causing the

modification." It means that Foreman edits the clip with a timeline; therefore, editing the video clip includes removing/deleting/adding frames which are directly affected the timeline. It means editing the frames also edited/changed the timeline or time based stream information)}.

As to dependent claims 22-23, Foreman in view of Rosser teaches that the capturing is by executing an interrupt procedure (Foreman, when the user has finished capturing the selected motion video information, the stop button is depressed and the data file on the hard disk is closed, e.g., col. 10 lines 20-25, and if the user sends direct signal to the camcorder for capturing video information (not from other storages), the system will be importing the video information with the time line (as explained above) at the same time rate when capturing images by the camcorder and displaying the images on the display area 120 as shown in figs. 8-11, or note the rejection of claim 1 above).

As to claim 25, Foreman in view of Rosser teaches the system of claim 20, wherein at least one of the enabled control elements is to perform side operations (Foreman, e.g., col. 3 lines 55-59).

As to dependent claim 26, Foreman teaches the system further including a means for presenting an edit output on the same portion of the display for presenting the capture information (Foreman, entire captured movie/clip can be viewed on the viewer window, e.g., figs. 8 and 13).

As to dependent claim 27, Foreman teaches presenting of capture information is automatic in response to the communicating with the information source (Foreman, other capturing devices are also connected to the editing system, e.g., col. 5 lines 35-50).

As to claims 1-4, 6, and 9-10, they are the equivalent method claims of system claims 20-23, and 25-27 respectively and are rejected under a similar rationale.

As to dependent claim 7, Foreman teaches one of the enable control elements is output control (Foreman, fig. 10 teaches the Effects screen is selected for editing, and the editor can control the outputs such as Play, Volume, and inserting effects to the screen for display).

As to claim 11, Foreman teaches a processing system for generating a presentation of a time based stream of information, the system comprising:

A) a capture port for acquiring the time based stream of intonation (Foreman, e.g., col. 2 lines 45-61 and fig. 8);

B) a display device (Foreman, e.g., figs. 8-10); and

C) a processor coupled to the capture port and to the display device, the processor configured to:

i.   complicate with an information source having a time based stream of information through the capture port (Foreman, e.g., a video editing system for editing video information which can be captured directly into a timeline, col. 1 line 64-col. 2 line 8, col. 9 lines 51-58, and figs. 8-9);

ii.   present capture information from the time based stream of infatuation on a portion of a first interface on the display device (the display area 120, e.g., col. 9 lines 25-20, fig. 8) while the capture information is acquired from the information source in a capture mode, the capture mode to import the time based stream of information into the system (Foreman, capture mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56, and figs. 8-9); and

iii.   present on the first interface on the display (the display area 120, e.g., col.

9 lines 25-20, fig. 8) at least one enabled control element, which is to control

editing of the time based stream of information (Foreman clearly teaches in figs.

15-16 and col. 10 lines 42-55 that "user input 204 is processed to change the data

in the shot descriptions and to generated the displayed graphics 206 of the

storyboard interface 52. Similarly, a capture module 208 processes the shot

descriptions and the clip descriptions 216 to provide the display graphics 210 of

interface 54. It also processes user input 212 to perform operations such as

capturing data or inserting and deleting shots. Video input and output 214 is

controlled into data files. The clip descriptions 216 are created and modified

according to the selected shot and the name of the data file into which the data is

captured. When an operation is performed on a clip in the timeline, the capture

module 208 modifies the corresponding clip description 216. The corresponding

shot is modified via a message passing technique, indicating a clip that is

modified and the operation causing the modification." It means that Foreman edits

the clip with a timeline; therefore, editing the video clip includes

removing/deleting/adding frames which are directly affected the timeline. It

means editing the frames also edited/changed the timeline or time based stream

information.); however, Foreman does not clearly teach that the capturing and

editing information (while the time based stream of information is imported into

the system on the system on the first interface) on a same display/screen. Yen

clearly teaches audio and video are continuously captured during the creation and

editing mode (it also means that the system of Yen *can be either capturing video and then editing it later on the same display* without switching to different mode such as editing mode, playing mode or, etc. Yen, e.g., col. 9 line 56-col. 10 line 25). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the video system of Yen in the video editing system of Foreman to ease and not confuse the user during the viewing/capturing/editing process. {The system of Foreman also teaches that either captured video information, which currently being received, for displaying at the display area 120 directly from the camcorder without using the video information from other storages such as the videotape of the camcorder, bin, other memory (e.g., col. 9 lines 20-32, and col. 10 lines 27-33), or the user can capture/get the video information from other storages as ordinary ways as also explained throughout the invention, the video information can be captured directly into a timeline representation of a video program (Abstract) to edit the video (col. 8 lines 50-61), and motion video information is captured using this interface 54 and is tied directly to a selected shot, and by capturing motion video information in this manner, the motion video information is automatically and immediately associated with a selected shot. By capturing video information directly into the timeline representing the motion video program, the need for a "bin" of motion video data files is eliminated and the user interface is simplified. When all shots have been associated with clips, a message may be displayed to the user that tells the user to continue to the next selectable interface, for editing the movie.

Nonetheless, the user may still add shots and capture more video (col. 10 lines 6-

35). Upon initiation, the first shot in the storyboard for which motion video

information has not yet been captured is selected. However, the user may select

any given shot in the storyboard region for capturing associated motion video

information (col. 10 lines 6-35); therefore, it clearly means that the editing system

of Foreman can capture and edit video information at the same time; and, if the

user sends direct signal to the camcorder for capturing video information (not

from other storages), the system will be importing the video information with the

time line (as explained above) at the same time the user can switch to the editing

mode, which means the edit mode is enable, as shown in figs. 8-11 (Foreman,

capture mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56; switching to

different windows and sub-windows, and figs. 8-12)}; however, the system of

Foreman in view of Yen still does not clearly teach the system is capable of

editing the information presenting the capture information from the time based of

information that is currently being imported into the system. Rosser clearly

teaches a live video insertion system (LVIS) for inserting static/dynamic images

or indicia (the information is currently being captured, reviewed, and

inserted/edited in an editing mode) into a live video broadcast (the information is

currently being imported into the system LIVS as claimed by the Applicants) in a

realistic fashion on a real time basic (Rosser, Abstract, col. 4 lines 34-42, and col.

15 lines 21-29). It would have been obvious to a person of ordinary skill in the art

at the time of the invention to have the live-image insertion of video streams of

Rosser in the image/video editing system of Foreman in view of Yen to reduce

confusions from the viewers by only inserting objects/images/indicia into

appropriate targets/landmarks located on the displayed screen (Rosser, Abstract).

As to claims 12-14, and 16-19, these are the equivalent system claims of method claims

2-4, 6-7 and 9-10 respectively and are rejected under a similar rationale.

As to claim 8, it is the equivalent method claim of system claim 17 and is rejected under

a similar rationale.

As to claims 28-31, 33 and 35-36, these are the equivalent program product claims of

system claims 20-23, and 25-27 respectively and are rejected under a similar rationale.

As to dependent claim 34, Foreman teaches that the capturing is by executing an interrupt

procedure (Foreman, when the user has finished capturing the selected motion video information,

the stop button is depressed and the data file on the hard disk is closed, e.g., col. 10 lines 20-25).

As to claims 42, 37, 39 and 76, Foreman in view Rosser teaches a processing system for

generating a presentation of a time based stream of information, the system comprising:

A) a capture port for acquiring the time based stream of information (e.g., a video editing

system for editing video information which can be captured directly into a timeline, col. 1 line

64-col. 2 line 8, col. 9 lines 51-58, and figs. 8-9);

B) a display device (figs. 7-12); and

C) a processor coupled to the capture port and to the display device (a computer system

to perform editing tasks, e.g., col. 5 lines 20-57), the processor configured to:

i) detect a coupling with an information source having a time based stream of

information in communication with the processing system (e.g., a video editing system

for editing video information which can be captured directly into a timeline, col. 1 line 64-col. 2 line 8, col. 9 lines 51-58, and figs. 8-9), and

         ii) automatically present capture information for presenting on the first interface on the display (the display area 120, e.g., col. 9 lines 25-20, fig. 8) at least one enabled control element, which is to control editing of the time based stream of information (Foreman clearly teaches in figs. 15-16 and col. 10 lines 42-55 that "user input 204 is processed to change the data in the shot descriptions and to generated the displayed graphics 206 of the storyboard interface 52. Similarly, a capture module 208 processes the shot descriptions and the clip descriptions 216 to provide the display graphics 210 of interface 54. It also processes user input 212 to perform operations such as capturing data or inserting and deleting shots. Video input and output 214 is controlled into data files. The clip descriptions 216 are created and modified according to the selected shot and the name of the data file into which the data is captured. When an operation is performed on a clip in the timeline, the capture module 208 modifies the corresponding clip description 216. The corresponding shot is modified via a message passing technique, indicating a clip that is modified and the operation causing the modification." It means that Foreman edits the clip with a timeline; therefore, editing the video clip includes removing/deleting/adding frames which are directly affected the timeline. It means editing the frames also edited/changed the timeline or time based stream information.); however, Foreman does not clearly teach that the capturing and editing information (while the time based stream of information is imported into the system on the system on the first interface) on a same display/screen. Yen clearly teaches audio and video are

<u>continuously captured during the creation and editing mode (it also means that the system</u> <u>of Yen</u> *can be either capturing video and then editing it later on the same display* <u>without</u> <u>switching to different mode such as editing mode, playing mode or, etc. Yen, e.g., col. 9</u> <u>line 56-col. 10 line 25</u>). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the video system of Yen in the video editing system of Foreman to ease and not confuse the user during the viewing/capturing/editing process. {The system of Foreman also teaches that either captured video information, which currently being received, for displaying at the display area 120 directly from the camcorder without using the video information from other storages such as the videotape of the camcorder, bin, other memory (e.g., col. 9 lines 20-32, and col. 10 lines 27-33), or the user can capture/get the video information from other storages as ordinary ways as also explained throughout the invention, the video information can be <u>captured directly</u> <u>into a timeline</u> representation of a video program (Abstract) to edit the video (col. 8 lines 50-61), and motion video information is captured using this interface 54 and is tied directly to a selected shot, and by capturing motion video information in this manner, the motion video information is automatically and immediately associated with a selected shot. By capturing video information directly into the timeline representing the motion video program, the need for a "bin" of motion video data files is eliminated and the user interface is simplified. When all shots have been associated with clips, a message may be displayed to the user that tells the user to continue to the next selectable interface, for editing the movie. Nonetheless, the user may still add shots and capture more video (col. 10 lines 6-35). Upon initiation, the first shot in the storyboard for which motion video

information has not yet been captured is selected. However, the user may select any given

shot in the storyboard region for capturing associated motion video information (col. 10

lines 6-35); therefore, it clearly means that the editing system of Foreman can capture and

edit video information at the same time; and, if the user sends direct signal to the

camcorder for capturing video information (not from other storages), the system will be

importing the video information with the time line (as explained above) at the same time

the user can switch to the editing mode, which means the edit mode is enable, as shown

in figs. 8-11 (Foreman, capture mode, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56;

switching to different windows and sub-windows, and figs. 8-12)}; however, the system

of Foreman in view of Yen still does not clearly teach the system is capable of editing the

information presenting the capture information from the time based of information that is

currently being imported into the system. Rosser clearly teaches a live video insertion

system (LVIS) for inserting static/dynamic images or indicia (the information is currently

being captured, reviewed, and inserted/edited in an editing mode) into a live video

broadcast (the information is currently being imported into the system LIVS as claimed

by the Applicants) in a realistic fashion on a real time basic (Rosser, Abstract, col. 4 lines

34-42, and col. 15 lines 21-29). It would have been obvious to a person of ordinary skill

in the art at the time of the invention to have the live-image insertion of video streams of

Rosser in the image/video editing system of Foreman in view of Yen to reduce

confusions from the viewers by only inserting objects/images/indicia into appropriate

targets/landmarks located on the displayed screen (Rosser, Abstract).

As to claim 38, this is the equivalent method claim of system claim 27 and is rejected under a similar rationale.

As to claim 40, it is the equivalent method claims of system claim 21 and is rejected under a similar rationale.

As to claims 43-44, they are the equivalent system claims of method claims 38-39 respectively and are rejected under a similar rationale.

As to dependent claim 45, it is equivalent to system claim 21 and is rejected under a similar rationale.

As to claims 47-50, they are the equivalent system claims of method claims 37-40 respectively and are rejected under a similar rationale.

As to claims 52-55, they are the equivalent product claims of system claims 47-50 respectively and are rejected under a similar rationale.

As to claims 57 and 73, they are the equivalent method claim of system claim 42 and are rejected under a similar rationale; and Foreman also teaches (C) presenting an edit output on the viewing portion of the display during an edit mode (figs. 8-12).

As to claim 59, the corresponding shot is modified via a message passing technique, indicating a clip that is modified and the operation causing the modification." It means that Foreman edits the clip with a timeline; therefore, editing the video clip includes removing/deleting/adding frames which are directly affected the timeline. It means editing the frames also edited/changed the timeline or time based stream information.

As to claim 60, this is the equivalent method claim of system claim 25 and is rejected under a similar rationale.

As to claim 61, this is the equivalent system claim to generate a presentation of a time based stream of information of system independent claim 42 combined with the method claim 57. Note the rejections of claims 42 and 57 above.

As to claims 63-64, these are system claims of method claims 59-60. Note the rejections of claims 59-60 above respectively.

As to claims 65, and 67-68, these are the equivalent system claims of method claims 57, and 59-60 respectively and are rejected under a similar rationale.

As to claims 69, and 71-72, these are the equivalent program product claims of system claims 65, and 67-68 respectively and are rejected under a similar rationale.

As to dependent claim 75, Foreman teaches the editing window includes a toggle control element to switch between capture and edit mode within the editing window (Foreman, fig. 8 teaches record and stop buttons on the editing window).

As to claim 78, this is the equivalent system claim of claim 75 and is rejected under a similar rationale.

As to claims 79 and 81, these are the equivalent system claims of method claims 73 and 75 respectively and are rejected under a similar rationale.

As to claims 82 and 84, these are the equivalent program product claims of method claims 73 and 75 respectively and are rejected under a similar rationale.

As to claim 83, Foreman teaches the automatically engage is in response to the detect (the system will detect if the capture mode is selected to start recording/bringing the clips into the destination, e.g., col. 2 lines 45-67, col. 9 lines 23-35, 51-56, and figs. 8-9).

As to claim 85, it can be rejected under a similar rationale as claim 1 above.

Response to Arguments

4.   Applicant's arguments with respect to claims, filed 10/29/07, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Truc T. Chuong

01/02/08

**WEILUN LO
SUPERVISORY PATENT EXAMINER**